

MINUTES OF REGULAR MEETING HELD JANUARY 14, 2020

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, January 14, 2020 at 8:00 p.m.

Mayor Brindle made the following announcements:

“Prior to convening in regular session, there was an agenda session which was open to public and advertised.”

“The adequate notice of this meeting, as required by the Open Public Meetings Act, was provided by the posting, mailing and filing of the annual notice of regularly scheduled meetings of the Town Council on December 11, 2019. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, and THE STAR LEDGER, and filed with the Clerk of the Town of Westfield.”

PRESENT: Mayor Brindle, Council Members Habgood, Parmelee, LoGrippo, Katz, Mackey, Contract, Dardia, Boyes

ABSENT:

INVOCATION AND FLAG SALUTE

Invocation was given by Councilman LoGrippo followed by the flag salute.

PRESENTATIONS

2019 Gingerbread House Awards

Grand Prize Winner: Iconic Westfield Shopping, submitted by Anastasia Harrison

Iconic Building/Location in Westfield: Arcanum Hall, submitted by Tara and Robert Donnelly and Amy Behr-Shields

Family/Group Effort Winner: Whoville, submitted by Mackenzie Wilson, Emily Rego, Hannah Everett and Natalie DuHaime

Under 14 Kids Only Winner: Lincoln School Playground, submitted by Mrs. Corea's PM Lincoln School Kindergarten Class

Town Administrator's Reports

- Announced that the Conservation Center is open every Saturday throughout January for the drop off of recyclable items and Christmas trees. Also discussed plans for a new Conservation Center brochure for the upcoming season, which begins in April;
- Provided an update on the status of the renovations to the coffee kiosk at the train station and announced that interior work continues. The Town is currently coordinating with New Jersey Transit to make arrangements with utilities for the installation of electrical and water service. In addition, discussions with the DWC's design committee for the painting of the kiosk that compliments the colors of the train station are being held.

Councilman Dardia asked if the Town would set the hours of operation for the coffee kiosk once renovations are complete and it is open for business.

The Town Administrator stated that the Town would set the hours of operation, but that all details would be outlined once the Town is ready to issue a Request for Proposals (RFP) for a concessionaire.

Councilman LoGrippo requested the operating hours for the Conservation Center on Saturdays.

The Town Administrator stated that the hours are from 9:00 AM to 2:30 PM.

Mayor's Remarks

- Referenced her State of the Town address which was given at the Annual Organization Meeting. Stated that this year would be a pivotal one for Westfield, whereby defining

decisions about the course the Town would like to collectively chart for the future would be made;

- Discussed numerous communications over the last year concerning car thefts and the fact that they have been on the rise in many towns in this area, including Westfield. Listed those communications, including public remarks by her and Chief Battiloro, letters to the editor in local press outlets, ward-specific Nixle alerts, and nightly social media reminders. Feels information has been spread “far and wide” about the need for residents to lock their cars and remove their keys from their vehicles, yet the Town continues to see cars being left unlocked, making Westfield an ongoing target for this criminality. Explained that, in an effort to reach even more residents, the Town began distributing flyers to the most heavily affected areas of Town last week, and also partnered with the Board of Education to have each public school principal distribute the flyer to their email lists. Explained that when Chief Battiloro was sworn in last year, he made community policing a top priority, and provided clarification as to what that means. Stated that community policing is not a one-way outreach to residents by the Police Department; rather, it’s a philosophy that promotes strategies using public partnerships to proactively address public safety issues. Explained that when the Police Chief and his department have different events, such as “Pizza with the Police”, “Coffee with a Cop” and more officers on bikes at public events, it provides a neutral, approachable environment to meet with residents, but it is also meant to establish a long-term, two-way channel of communication, enabling residents and the Police Department to work together to prioritize public safety. Stated that it is not a job the Police Department can do alone, as residents have a role to play as well. Informed residents that the Police Department has been working exhaustively, both in plain sight and through less visible tactics, to thwart additional car thefts. Urged all residents to ensure that their cars are locked and that the keys are removed each day and each night. Also asked residents to share this information with neighbors, and to do their part by availing themselves to the multiple communications channels the Town is providing, including Town Updates via email and the Town’s website, Nixle alerts, and by following the Town and the Police Department on social media. Referenced a statement by the Police Chief and stated, “this is a crime of opportunity, and we need to work together to make sure that opportunity no longer exists in Westfield”;
- Provided an update concerning the future of the Rialto Theater. Explained that when the theater closed in August, many concerned residents, with a variety of relevant and impressive backgrounds, reached out to her and offered to help. From this outreach, a visionary and experienced advisory group that represents expertise in commercial real estate and financing, theater management, grant writing, economic development, and the film industry has been formed. With their collective input, the Town is in active discussions with the owner of the Rialto about how it could be reimagined for the future of Westfield. In addition, the Town is in the process of applying for grants to fund the cost of a consultant with specific experience in the performing arts and theater renovation space so that a full assessment and feasibility study of how to proceed could be conducted. Stated that a lot of very valuable input has been collected and the Town is ready to move on to the next step in the near term to get some more concrete plans in place. Stated that she would have more to share in the coming weeks;
- Discussed the status of the Parks and Recreation Strategic Plan and explained that it is a comprehensive and extremely detailed document to help define the road map for Westfield’s parks, open spaces, and recreational opportunities. Stated that the Recreation Commission would review the proposed Plan at its next meeting on January 15 and provide comments. It would then be referred back to the Town Council in February, and finally sent over to the Planning Board for incorporation into the Master Plan Reexamination. Stated that, after reading the Plan in detail, she is not only very excited about the possibilities, but is more convinced than ever that taking a holistic planning approach was the right course, and one that would result in smart, long-term investments made with a broader view beyond the urgent need for fields;
- Congratulated the DWC’s Interim Executive Director, Kathleen Miller Prunty, on her recent election to the Cranford Township Committee. Stated that Ms. Prunty is nearing the end of her interim appointment with the DWC in late February, and the job description for a new, permanent Executive Director was recently posted. Feels this is an exciting new era of leadership, as work to revitalize the downtown continues. Mayor Brindle also discussed an investigation that was conducted concerning an alleged incident from October involving the DWC’s Twitter account, in which accusations were made of

a partisan post by the DWC. After a thorough review by forensics investigators, they could find no evidence of unauthorized access to the DWC Twitter account, nor could they find evidence supporting the very existence of the alleged tweet. They concluded that the tweet was never posted and was in fact fabricated and subsequently circulated on Facebook. Stated that while she is grateful that the matter was thoroughly reviewed and concluded, she is disheartened to know that the true cause of this issue was the deliberate circulation of disinformation intended to discredit Ms. Prunty, who was a candidate for Township Committee in Cranford, but the DWC as a whole, which is comprised of dedicated professionals whose contributions remain valuable to the Town;

- Invited all to attend the Dr. Martin Luther King Jr. Association of Westfield on Monday for their annual commemoration events. Discussed the events planned, including a pancake breakfast at the Westfield Community Center, followed by a service project at the Presbyterian Church, where toiletry kits would be assembled to benefit the Bridges Outreach organization that assists with homeless populations in New York City, Newark, Irvington, and Summit. Informed residents that travel sized toiletry items such as shampoo, dental floss, toothbrushes, toothpaste, and more could be donated at the Municipal Building and the Presbyterian Church through Friday, or they could be brought to the January 20 event. Following the service project, the annual march would commence at 12:15 PM and proceed from the MLK monument to the Presbyterian Church;
- Feels as the Town honors Martin Luther King's legacy, it is also a great time to announce the upcoming formation of the Town's Human Relations Advisory Committee (HRAC), the ordinance for which will be introduced in February. Explained that she is announcing it tonight to reiterate her message about living in a community that fosters an environment of inclusivity, mutual understanding, and respect. Explained that the HRAC is intended to serve in an advisory capacity to promote these values and help ensure that all individuals can participate fully in all aspects of community life. It would be comprised of seven (7) resident members and two (2) alternate members who would work with the Mayor and Town Council to improve access to programs, recommend policies, promote inclusivity, and provide education and awareness within Westfield. Feels the unacceptable increase in bias incidents in and around Westfield has created the need for something more than offering statements of condemnation. Feels without additional action, the Town is not making enough of a tangible impact. Applications for the HRAC would be solicited in the next few days with plans of introducing the members after the second reading of the ordinance in February. Extended her thanks to residents Pam Brug and Alexis Jemal for suggesting this committee and for helping to move this vision forward.
- Discussed an adaptive skating session scheduled at the Westfield Rink on January 20 and thanked the Westfield Hockey Club for sponsoring the event. Also extended a special thanks to the Access and Inclusivity Council for facilitating the event.

APPOINTMENTS

ADVERTISED HEARINGS

PENDING BUSINESS

BIDS

MINUTES

On a motion by Councilman Contract and seconded by Councilwoman Mackey, Council approved the Minutes of the Town Council Conference Session and Regular Meeting held December 10, 2019 and the Reorganization Meeting of January 7, 2020 with Councilman Contract abstaining from the Reorganization Meeting of January 7, 2020.

PETITIONS AND COMMUNICATIONS

OPEN DISCUSSION BY CITIZENS

Mayor Brindle opened the public comments portion of the meeting and asked if there were any questions or comments.

Hearing no comments, Mayor Brindle closed this portion of the meeting.

BILLS AND CLAIMS

On motion by Councilwoman Habgood, and seconded by Councilman Parmelee, bills and claims were adopted unanimously:

RESOLVED that the bills and claims in the amount of \$1,313,726.91 per the list submitted to the members of this Council by the Chief Financial Officer, and approved for payment by the Town Administrator be, and the same are hereby, approved and that payroll warrants previously issued by the Chief Financial Officer be ratified.

REPORTS OF STANDING COMMITTEES:

Finance Policy Committee

The following resolutions, introduced by Councilwoman Habgood, Chairwoman of the Finance Policy Committee, and seconded by Councilman Contract, were unanimously adopted.

Resolution No. 21

RESOLVED, that the Town Treasurer be authorized to refund the following fees to the following individual:

<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Fee</u>
Tony Elghoul 760 Cranford Ave Westfield, NJ 07090	9-05--250-000 Ski Club	Ski Trip Refund / Canceled Program Alex Elghoul	\$295.00
Christopher Millen 145 Wells Street Westfield, NJ 07090	9-05--250-000 Ski Club	Ski Trip Refund/Canceled Program Christopher Millen	\$450.00
Heather Benz 112 N Florence Ave Westfield, NJ 07090	9-05- -220-000 Playground	Playground Particle Refund Kate & Maren Riley	\$270.00
Michael Blom 730 Shadowlawn Drive Westfield, NJ 07090	T- 05- 600 -071 Tennis/Rec	CPR/AED & First Aid Refund/4/26 Class Sabrina Blom	\$100.00

Resolution No. 22

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$298.80 to the order of New Jersey Department of Health, P.O. Box 369, Trenton, New Jersey for Dog Licenses issued by the Town Clerk for the month of December 2019.

Resolution No. 23

LET IT HEREBY BE RESOLVED that the Chief Financial Officer be and hereby is authorized to draw a warrant for refund of dumpster security payment(s) as follows following final inspection and approval by Town Engineer for return of deposit:

Pro Custom Solar, LLC.
3096B Hamilton Blvd.
S. Plainfield, NJ 07080

Amount of refund: \$975.00

Bennett Landscaping, LLC.
1006 Raritan Road
Cranford, NJ 07016

Amount of refund: \$975.00

Resolution No. 24

RESOLVED that pursuant to N.J.A.C. 5:23-4.19, that the Chief Financial Officer be authorized and directed to draw a warrant in the sum of \$13,743.00 to the TREASURER, STATE OF NEW JERSEY for the fourth quarter Construction Official’s State permit fees for 2019.

BE IT FURTHER RESOLVED that said check be forward to the Division of Codes and Standards, Department of Community Affairs, CN 802, Trenton , New Jersey 08625-0802.

Resolution No. 25

WHEREAS, the following applicants have posted monies to be held in escrow to cover expert advice and testimony in connection with Board of Adjustment and Planning Board applications on said property; and

WHEREAS, expert advice and testimony was given, and

WHEREAS, all bills for these applications have been submitted and paid; and

WHEREAS, the applicant has requested in writing to have the balance of escrow monies be released to them;

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is authorized to draw a check for the balance of the escrow monies as follows:

App #	Name	Address	G/L	Refund Balance
	Jersey Jill's Ice Cream		9-05-560-	
BOA 19-53	Shoppe LLC	430 North Avenue East	785	\$1,000.00
Return to:	Jill Zakutansky	647 Saint Andrews Place	Manalapan	07726

Resolution No. 26

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$550.00 to the order of Treasurer, State of New Jersey, P.O. Box 660, Trenton, NJ 08646-0660 for Marriage/Civil Union License Fees issued by the Registrar of Vital Statistics for the quarter of October - December 2019.

Resolution No. 27

RESOLVED that the Chief Financial Officer be, and he hereby is authorized to draw warrants to the following persons, these amounts being overpaid for 2019:

Block/Lot/Qualifier	Quarter/Year	
Name	Property Address	Amount
306/24	1031 Minisink Way	4 th /2019
RUSSO, Richard & Alison		\$3,530.30
1128 Prospect Street		
Westfield, NJ 07090		
403/15	421 Quantuck Lane	4 th /2019
SHERMAN, Michael & Sara		\$3,052.81
1304/54	617 Girard Avenue	1 st /2019
LEGONES, Theodore & Dale		\$289.80
4702/59	1011 Rahway Avenue	4 th /2019
KAPLAN, Herbert C		

Resolution No. 28

WHEREAS, the Town Council of the Town of Westfield, County of Union, State of New Jersey, recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Town Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Town Council has applied for and been approved for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Union, and

WHEREAS, at a meeting held December 10, 2019, the Mayor and Town Council adopted Resolution No. 298-2019 authorizing the approval of an application for FY2021; and

WHEREAS, the award total, cash match and In-Kind amounts reflected in Resolution No. 298-2019 require amendments as follows:

The Town of Westfield's Municipal Alliance Program has been approved to receive funding for the FY 2021 period of July 1, 2020 – June 30, 2021 for an amount of \$26,547 for each fiscal year period.

NOW, THEREFORE, BE IT RESOLVED by the Town of Westfield, County of Union, State of New Jersey, hereby recognizes the following:

1. The Town Council does hereby authorize the approval of the application for the FY2021 representing a total award of \$26,547 for the 12-month period, representing a cash match of \$6,636.75 and In-Kind of \$19,910.25 to the Westfield Municipal Alliance.
2. The Town Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Resolution No. 29

WHEREAS, the Mayor's Senior Advisory Council in the Town of Westfield was established to help make Westfield a better place for Westfield residents to grow old through its Lifelong Westfield initiative; and

WHEREAS, the Grotta Fund, whose mission is to focus on improving the quality of life of older adults and their families primarily living in Essex, Union and Morris counties in New Jersey, provides grants to organizations that improve the lives of older adults and their families; and

WHEREAS, the Mayor's Senior Advisory Council expressed interest in participating in the Grotta Fund's grant program and submitted a Letter of Intent to the Grotta Fund in the fall of 2019; and

WHEREAS, the Grotta Fund approved said Letter of Intent and invited the Mayor's Senior Advisory Council to submit a grant application.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Town Council of the Town of Westfield authorize submission of an application to the Grotta Fund by the Mayor's Senior Advisory Council for grant funding for age-friendly community initiatives which support the Lifelong Westfield initiative.

Resolution No. 30

BE IT RESOLVED that the appropriate Town Officials are hereby authorized to sign the contract for animal control services between Animal Control Solutions LLC and the Town of Westfield for the period of January 1, 2020 through January 1, 2022.

Resolution No. 31

WHEREAS, N.J.S.A. 40A:9-140.10 requires that every Municipality appoint a chief financial officer, and

WHEREAS, Resolution 12-2016, adopted January 3, 2016 appointed Scott H. Olsen as the Town of Westfield Municipal Chief Financial Officer for a four (4) year term beginning January 1, 2016, and

WHEREAS, N.J.S.A 40A:9-140.8 provides in part that “any person who has served as the chief financial officer of a municipality for four consecutive years and who is reappointed as that municipality’s chief financial officer shall be granted tenure of office”, and

WHEREAS, in accordance with the aforementioned statutes, the Town Council of the Town of Westfield wishes to reappoint Scott H. Olsen as the Municipal Chief Financial Officer for the Town of Westfield and confirm his tenure pursuant to N.J.S.A. 40A:9-140.8;

NOW THEREFORE, BE IT RESOLVED that Scott H. Olsen is hereby reappointed the Town of Westfield Municipal Chief Financial Officer and shall continue to hold office “during good behavior and efficiency” in accordance with N.J.S.A. 40A; 9-140.8.

Resolution No. 32

WHEREAS, a need exists for the Town of Westfield to retain professional legal services to act as redevelopment counsel; and

WHEREAS, the Town of Westfield issued a Request for Qualifications (RFQ) for legal services through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq., and

WHEREAS, Robert S. Goldsmith, Esq. of Greenbaum, Rowe, Smith & Davis, LLC has submitted a proposal dated December 16, 2019, indicating that Greenbaum, Rowe, Smith & Davis, LLC would provide the above services based on the fees set forth in the firm’s cost proposal; and

WHEREAS, the Town of Westfield has deemed that the background, experience and qualifications of the respondent herein satisfy the criteria set forth in the RFQ; and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contract, prepared in accordance with N.J.A.C. 5:30-5.4, will be furnished to the Town Clerk, subject to the availability of funds in the 2020 Budget. Expenditure of funds pursuant to this contract is to be charged to the Legal Account 120-217.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Town of Westfield enters into a contract with Greenbaum, Rowe, Smith & Davis, LLC, in conjunction with the services provided by Robert S. Goldsmith, Esq., and his firm to provide redevelopment legal services to the Town of Westfield.
2. The term of the contract will be for a period ending December 31, 2020.
3. This contract may be renewed for two (2) additional one (1) year terms, at the Town’s discretion.
4. The estimated total fees for the year shall not exceed \$50,000 with this expenditure charged to the appropriate account.
5. This contract is awarded pursuant to the “fair and open” process (N.J.S.A. 19:44A-20.5 et seq.).

Comments:

The Town Administrator thanked Mayor Brindle and the Town Council for authorizing the reappointment of the Chief Financial Officer. Stated that Mr. Olsen has been with the Town of Westfield for over four (4) years and commended him for his efforts.

Councilwoman Habgood also commended the Chief Financial Officer for his efforts.

In addition, Councilwoman Habgood announced that a public budget meeting has been scheduled for January 30, 2020 at 7:00 PM and invited residents to attend.

Public Safety, Transportation and Parking CommitteeCode Review & Town Property CommitteePublic Works CommitteeReports of Department Heads

Report of Steve Freedman, Construction Official, showing monies collected for permits in the amount of \$80,434.00 for the month of December 2019 was received, read and ordered filed.

Report of Anthony Tiller, Chief of the Fire Department, showing Fees collected in December 2019 in the amount of \$3,918.00 was received, read and ordered filed.

Report of Kris McAloon, Town Engineer, stating he had turned over to the Chief Financial Officer check in the amount of \$15,932.00 representing monies collected during the month of December 2019.

Report of Tara Rowley, Town Clerk, showing fee collected in the amount of \$4,148.00 during the month of December 2019 was received, read, and ordered filed.

Report of Carol Salvaggio, Certified Court Administrator, stating that she had turned over to the Chief Financial Officer check in the amount of \$24,732.03 representing fines and costs collected in the Municipal Court and Violations Bureau during the month of December 2019 was received, read and ordered filed.

Report of Christopher Battiloro, Chief of the Police Department, showing fee collecting in the amount of \$3,693.40 during the month of December 2019.

ADJOURNMENT

A motion to adjourn, made by Councilman LoGrippe and seconded by Councilwoman Habgood at 8:38 p.m. was unanimously carried.

Respectfully submitted,

Tara Rowley, RMC
Town Clerk